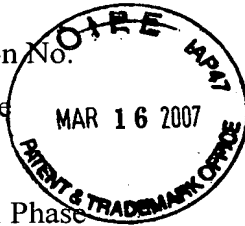


IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

International Application No. : PCT/EP2004/006057
 International Filing Date : June 5, 2004
 U.S. Serial No. : 10/559,389
 Deposit Date U.S. Nat'l Phase : December 6, 2005
 Priority Date(s) Claimed : June 7, 2003
 Applicant(s) : Juergen WESTERMANN et al.



Title: PROTECTED 5,7-DIHYDROXY-4,4-DIMETHYL-3-OXOHEPTANOIC ACID
 ESTER AND 5,7-DIHYDROXY-2-ALKYL-4,4-DIMETHYL-3-OXOHEPTANOIC
 ACID ESTER FOR THE SYNTHESIS OF EPOTHILONE AND EPOTHILONE
 DERIVATIVES AND PROCESS FOR THE PRODUCTION OF THESE ESTERS

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS
 UNDER 35 U.S.C. § 371
 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 11213-1450

Sir:

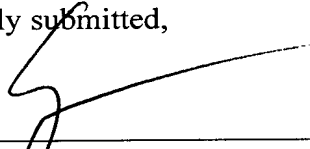
In response to the Notification of Missing Requirements dated January 16, 2007:

- ☒ Attached is a Declaration and Power of Attorney in compliance with 37 CFR § 1.53 along with the late filing surcharge of \$130.00
- ☒ Applicant(s) include an executed assignment and Recordation Form Cover Sheet with the recordation fee of \$40.00 (Check No. 38993).
- ☒ Attached is a copy of the Notification of Missing Requirements.
- ☐ Applicant(s) request that the time for taking action in this case be extended pursuant to 37 CFR 1.136(a) for a period of one/two/three/four/five month(s) along with the fee of .
- ☐ Applicant(s) are entitled to small entity status.
- ☒ Attached is a verified English translation of the PCT publication along with the fee of \$130.00.
- ☐ Attached is a Preliminary Amendment.
- ☐ Applicant(s) include the extra claims fee of \$ for claims in excess of 20 per additional claim, for independent claims in excess of 3 per additional claim, and/or for multiple dependent claims.

- ☐ Attached is the Sequence Disclosure (paper/disk versions) with the appropriate statement as required
- ☐ Attached is an Application Data Sheet (ADS).
- ☐ Attached are the substitute drawings as required.

Attached is a check in the amount of \$260.00. However, the Commissioner is hereby authorized to charge fees under 37 CFR § 1.16 and § 1.17 which may be required to facilitate this filing, or credit any overpayment to Deposit Account #13-3402.

Respectfully submitted,



Anthony J. Zelano
Registration No. 27,969
Attorney for Applicants

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Attorney Docket No.: SCH-2113

Date: March 16, 2007

03/19/2007 LLANDGRA 00000030 10559389

01 FC:1617	130.00 OP
02 FC:1618	130.00 OP



JAN 19 2007



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
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U.S. APPLICATION NUMBER NO.

10/559,389

FIRST NAMED APPLICANT

Juergen Westermann

ATTY. DOCKET NO.

SCH-2113

INTERNATIONAL APPLICATION NO.

PCT/EP04/06057

I.A. FILING DATE

06/05/2004

PRIORITY DATE

06/07/2003

MILLEN, WHITE, ZELANO & BRANIGAN, P.C.
 Arlington Courthouse Plaza 1
 2200 Clarendon Blvd., Suite 1400
 Arlington, VA 22201

CASE

ACTION

DUE DATE

Per msg reqmts
3/16/07

CONFIRMATION NO. 7342

371 FORMALITIES LETTER



OC000000021998616

Date Mailed: 01/16/2007

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 12/06/2005
- Copy of the International Search Report filed on 12/06/2005
- Information Disclosure Statements filed on 12/06/2005
- U.S. Basic National Fees filed on 12/06/2005
- Priority Documents filed on 12/06/2005

CASE

ACTION

DUE DATE

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Translation of the application into English. Note a processing fee will be required if submitted later than 30 months from the priority date.
- Processing fee of \$130 for providing the translation of the application and/or the Annexes later than 30 months from the priority date (37 CFR 1.492(i)).
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

[Handwritten signature]
 1/19/07

Total additional fees required for this application is **\$260** for a Large Entity:

- **\$130** Surcharge.
- **\$130** for English translation surcharge required.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.
<https://portal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at **1-866-217-9197** or visit our website at <http://www.uspto.gov/ebc>.

If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

VONDA M WALLACE

Telephone: (703) 308-9140 EXT 225

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/559,389	PCT/EP04/06057	SCH-2113



VERIFICATION OF TRANSLATION

I, Melissa Stanford, a translator with Chillson Translating Service, 3530 Chas Drive, Hampstead, Maryland, 21074, hereby declare as follows:

That I am familiar with the German and English languages;

That I am capable of translating from German to English;

That the translation attached hereto is a true and accurate translation of German Application titled, "Protected 5,7-Dihydroxy-4,4-dimethyl-3-oxoheptanoic Acid Ester and 5,7-Dihydroxy-2-alkyl-4,4-dimethyl-3-oxoheptanoic Acid Ester for the Synthesis of Epothilone and Epothilone Derivatives and Process for the Production of These Esters;"

That all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true;

And further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any registration resulting therefrom.

By Melissa Stanford

Executed this 12 day of Dec 2005.

Witness Alice Chillson

BEST AVAILABLE COPY